

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

2007 OCT 26 A 58

DERWIN GRIGGS,  
Plaintiff,

DEBRA P. HACKETT  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

V.S.

CIVIL ACTION NO: 3.07-cv-691-MHT

CLAY STEWART et al.,  
Defendant(s)

**PLAINTIFF'S REQUEST FOR DISCOVERY**

Comes now the Plaintiff, proceeding pro-se and through inmate assistance and respectfully request that this Honorable Court will allow this Plaintiff to seek discovery from the below named Defendants, for the following reasons;

1. On September 25, 2007 this Honorable court issued an ORDER, for the Defendant's to provide the Plaintiff with all relevant discovery material to advance his claim of deliberate indifference.
2. On October 12, 2007 the Defendant's filed their Special report, as ordered by the Court, however, in the Special report, the Defendant's fail to provide the Plaintiff with documents that is need to advance his claim.
3. The Plaintiff seeks this Court's permission to file for additional discovery of the following information that is in the defendant's exclusive care custody and control, and this Pro-se Plaintiff have no means of obtaining this information, through no other source.

4 The Plaintiff file this Motion for discovery pursuant to the provisions of **THE FEDERAL RULES OF CIVIL PROCEDURE RULE 26, (b) (2)**, as well as all other discovery methods provided in this rule.

5 The Information/or documents that this Plaintiff request that this court will compel discovery upon is as follows;

(a). Plaintiff request the roster that shows where each and every officer assign to work at the Chambers County Jail was working on the Date of April 16, 2007 from 6:00 AM through 6:00PM.

The Plaintiff specifically requests this information for Corrections **Officer/jailer Lisa Annie Davidson**. The Plaintiff request this information because, in her Sworn Affidavit submitted to this Court, she swore under OATH that she was not assign to work on the day that give rise to this action.

The Plaintiff is certain that Officer Lisa Annie Davidson was working on this day, and the Jail log will show where each officer was assign to work on that day.

(b). This court Ordered the Defendant's to provide the Plaintiff, and this court with information regarding the Negligence incident that occurred in the Chambers County Jail. The Plaintiff has information and dates of other negligent acts that occurred in the Chambers County Jail, the acts of negligence is as follows;

(c) On or about 2005 **Inmate Bill Turner** was found hung in **J Block (HOLDING CELL)** of the Chambers County jail. This incident occurred due to the Defendant's negligence, and failure to properly search this Inmate, prior to being booked in the Chambers County Jail. The Plaintiff request that this Court order the Defendant's to provide to this court and the Plaintiff the following information, the incident report, showing the exact time of the booking, the officer's that booked Bill Turner in the Chambers County Jail, show the instrument that Bill turner used to take his own life, and the Civil Case number that the Family of Bill turner filed in relation to this action, including but not limited to the Names of the Attorney representing the family of Bill

turner, their address, and the disposition of the case, ect, was the case settled, or did it go to Trial, or is it still pending.

On **May 1, 2007** another Inmate was found Hang in I-6 cell, and died, this Plaintiff was assign to I-3, in close proximity to I-6, and had first hand knowledge of this incident. Cell's 1-6 is in the protective custody cells.

The Plaintiff would like this Court to compel the Defendant's to produce to this court, and the Plaintiff the names of all Inmates that was placed in protective custody from April 14, until May 2, 2007.

Also produce the incident report from the Inmate that was hanged, and all investigation that resulted from this incident, including but not limited to, the reasons the inmates was placed in protective custody, including this Plaintiff, and the Inmate that died from the hanging

(d). On or about 2003, **DENISE BONNER**, a female incarcerated in the Chambers County Jail, I Block with **George Day**, a Male Inmate in the same Cell together for approximately (10) ten hours, in the meantime Denise Bonner got pregnant by Inmate George Day, and as a result, a son was born.

As a result of this negligent act, Denise Bonner filed a Civil Action in the United States District Court for the Middle District of Alabama, Eastern Division (This Court), whereas, this action is still pending in this Court.

This Plaintiff would like for the Defendant's to provide to this Court and the Plaintiff the current status of this Case, along with all Affidavits Submitted by the Named Defendant's.

(e). The Plaintiff request that the Defendant's provide to this Court and the Plaintiff, all information regarding the Former **Officer's Fuller, and Officer Burton**, that was charged along with several other inmates, **Greg Bonner, Benjamine Strickland, Rodregous Hughley, Kennedy Shirley and Duncan Cockran**.

The Officers was charged with having knowledge that the Inmates was breaking out of their Cell and breaking out of (G-Block, Male Cell) and breaking into (H-Block, female Cell), while the Officers and Inmates was having forcible Sexual intercourse with the female inmates.

The Plaintiff ask the Defendant's to provide to this Court and the Plaintiff the arrest report of the officers involved in this incident, along with the conviction report, and incident report, Indictment(s), and sentencing report, if any.

This Pro-se Plaintiff has alleged that the Defendant's was negligent in their placing him in the same cell as his known enemy, and the Plaintiff had placed Anthony Brisky on his enemy list. By providing this court, and the Plaintiff with the above information, will show this Court, that the Defendant's have a pattern or practice of being negligent in their duties, and with handling Inmates, in their care custody and control.

Respectfully Submitted

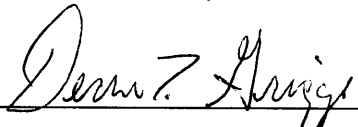
  
**Derwin Griggs # 198159**

**CONCLUSION**

For the reasons stated herein, this Pro-Se Plaintiff respectfully request that this honorable Court will Order the Defendant's to product the requested documents to this court and the Plaintiff, and if the Defendant's allege that the documents are privileged, then Order that they be produced to the Court for inspection, and state in their response, which documents are privileged, and why.

The Plaintiff ask that this court Order the Defendant's to produce this information within (30) thirty days, as provided by the Federal Rules of civil Procedure.

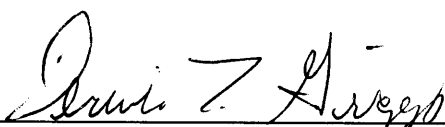
This Court had Ordered the Plaintiff to respond to the Defendant's Special Report no later than **October 30, 2007**, but because he does not have sufficient information to respond to the Special Report, he ask that this Court will give him an Extension of time in which to respond, until the Defendant's have provided the requested information.

  
**DERWIN GRIGGS# 198159**

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the following on the Attorney's for the Defendant's by placing a copy of same in the United States Mail properly addressed and Postage pre-paid **this 25<sup>th</sup> day of October, 2007.**

**Webb & Eley, P.C.  
7474 Halcyon Point Drive  
P.O. Box 240909  
Montgomery, Alabama 36124**

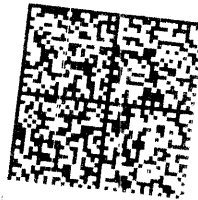
  
**Derwin Griggs, # 198159 B1-73B  
Elmore correctional Facility  
P.O. Box 8  
Elmore, Alabama 36025**

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MIDDLE DISTRICT OF ALABAMA  
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